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PCT/KR2004/001073

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SH-21868-PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/KR2004/001073	International filing date(day/month/year) 10 MAY 2004 (10.05.2004)	Priority date (day/month/year) 10 MAY 2003 (10.05.2003)
International Patent Classification (IPC) or national classification and IPC IPC7 G11B 20/10		
Applicant SAMSUNG ELECTRONICS CO., LTD. et al		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☒ Box No. VIII Certain observations on the international application

Date of submission of the demand 30 NOVEMBER 2004 (30.11.2004)	Date of completion of this report 28 JULY 2005 (28.07.2005)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer KIM, Yong Woong Telephone No. 82-42-481-5698 

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☒ the international application as originally filed/furnished
 - ☐ the description:
 - pages _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ the claims:
 - pages _____ as originally filed/furnished
 - pages* _____ as amended (together with any statement) under Article 19
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ the drawings:
 - pages _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ the sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, Nos. _____
 - ☐ the drawings, sheets _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, Nos. _____
 - ☐ the drawings, sheets _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-17	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-11, 13-17	YES
	Claims	12	NO
Industrial applicability (IA)	Claims	1-17	YES
	Claims	NONE	NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

D1 : US 2003/0028892 A1

D2 : JP 10-136314 A

D3 : EP 1076461 A1

D4 : EP 1089565 A2

1. Novelty and Inventive Step

D1 discloses a method and apparatus for providing customers with media contents combined with enhanced, interactively-obtained media contents. D2 relates to an interactive video reproducing device for improving operability in a network standby state by reproducing data corresponding to a reproducing procedure of the specified condition. D3 relates to a process for synchronizing an MPEG decoder for decoding compressed data originating from a recording medium. D4 relates to a transport stream recording/reproducing apparatus and a recording medium for realizing prompt random access reproduction in response to a user's command.

With regard to Claims 1, 6 and 9, the subject matter of these claims is regarded as reproducing an AV data in synchronization with predetermined markup data related to the AV data by receiving location information of video data and calculating a reproduction location of markup data related to the video data.

The subject matter of Claims 11, 16 and 17 is regarded as a recording medium according to Claims 1, 6 and 9.

The subject matter of Claim 12 is regarded as a recording medium having an audio data structure including synchronization information and audio data. But it is obvious to a person skilled in the art to combine D4 with D3 to arrive at Claim 12. Therefore, Claim 12 does not involve an inventive step.

(Continued on the Supplemental sheet.)

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 13-15, which are dependent claims of Claim 12, refer to "the method of Claim 12", but Claim 12 relates to a recording medium on which audio data has been recorded.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

Box V.

The other claims comply with PCT Article 33(2) and (3).

2. Industrial Applicability

Claims 1-17 meet the criteria set out in PCT Article 33(4).

These claims are directed to a method and apparatus for receiving audio data using a hyper text transport protocol(HTTP) and an audio data structure used for the apparatus and method.